

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF  
SUPERVISION WITH THE CONSENT OF THE OFFENDER

(Probation Form - Waiver of Hearing is Attached)

Offender Name: Amalia Rodriguez

Case No.: 2:15CR00514-001

Name of Sentencing Judicial Officer: The Honorable Joel H. Slomsky

Date of Original Sentence: August 20, 2018

Original Offense: Wire fraud (Count One), theft from a healthcare benefit program (Count Two), aggravated identity theft (Count Three).

Original Sentence: The defendant was committed to the custody of the U.S. Bureau of Prisons for a period of six months. Upon release from imprisonment, the defendant shall be on supervised release for a term of three years. A special assessment in the amount of \$300.00 and restitution in the amount of \$793,000 was also imposed.

Special Conditions: 1) The defendant shall provide her probation officer with full disclosure of her financial records to include yearly income tax returns upon request. The defendant shall cooperate with her probation officer in the investigation of her financial dealings and shall provide truthful monthly statements of her income, if requested; 2) The defendant shall not incur any new credit card charges or open additional lines of credit without the approval of her probation officer. The defendant shall not encumber or liquidate interest in any assets unless it is in direct service to her Court ordered financial obligation or otherwise has the express approval of the Court.

Type of Supervision: Supervised Release

Date Supervision Commenced: April 3, 2019

U. S. Attorney's Response: No Objections ☒ Objections ☐ No Response ☐

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PETITIONING THE COURT

Ms. Rodriguez has failed to secure and maintain employment since her release on April 3, 2019. Our office has attempted to assist Ms. Rodriguez in obtaining employment by providing her with numerous job leads as well as enrolling her in the Servsafe certification program; however, she has been unsuccessful in attaining any sort of employment and failed the Servsafe certification exam. Because of her persistent unemployment, we are proposing a Community Service requirement, which will hopefully motivate Ms. Rodriguez to work harder at securing employment. The service obligation will also serve to aid her in employment networking and job experience.

RE: Amalia Rodríguez

Case No.: 2:15CR00514-001

**On October 23, 2019, the defendant was advised of her right to speak with her attorney, and of her right to request a hearing on the matter if she did not agree with our proposed modification. Having acknowledged her rights, she waived the hearing and agreed to proceed with the modification.**

**On October 21, 2019, U.S. Probation Officer Sulimar Colon contacted Assistant U.S. Attorney Bea L. Witzleben via email. On October 25, 2019, this officer received a reply stating she had no objections.**

RE: Amalia Rodriguez  
Case No.: 2:15CR00514-001

**X To modify the conditions of supervision as follows:**

**That the defendant be required to complete community service at the rate of 25 hours per week until she is gainfully employed.**

Respectfully submitted,

Matthew R. MacAvoy, Chief  
U.S. Probation Officer

*S. Colon*

Sulimar Colon  
U.S. Probation Officer

Approved:

*James D. Muth*

James D. Muth  
Supervising U.S. Probation Officer  
Date: *10-28-19*

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ORDER OF THE COURT

Considered and ordered this  
29<sup>th</sup> day of October,  
2019 and ordered filed and made part of  
the records in the above case.

*Joel Slomsky*  
The Honorable Joel H. Slomsky  
U.S. District Court Judge

A TRUE COPY CERTIFIED FROM THE RECORD

DATED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

DEPUTY CLERK UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES PROBATION OFFICE  
EASTERN DISTRICT OF PENNSYLVANIA

NOTICE OF REQUEST FOR MODIFICATION OF SUPERVISION CONDITIONS

TO: Amalia Rodriguez  
(Name)

CASE NO. 2:15CR514-1

This is to notify you that the U.S. Probation Office intends to make a formal request to the Court that the conditions of supervision be modified as follows:

**1) That the defendant be required to complete community service at the rate of 25 hours per week until he is gainfully employed.**

The reason for this modification and addendum to the conditions of supervision is:

**Ms. Rodriguez has failed to secure and maintain employment since her release on April 3, 2019. Our office has attempted to assist Ms. Rodriguez in obtaining employment by providing her with numerous job leads as well as enrolling her in the Servsafe certification program; however, she has been unsuccessful in attaining any sort of work and failed the Servsafe certification exam.**

You are advised that you have the right to a hearing before the Court on the modification of the conditions of supervision, and that you have the right to be represented by counsel at such hearing. You also have the right to waive (give up) such a hearing. You are hereby asked to acknowledge receipt of the "Notice" by signing the applicable portion on the reverse side of this form and returning the form to your Probation Officer. If you desire a hearing, you should sign the ACKNOWLEDGMENT AND REQUEST FOR HEARING portion of the form. If you wish to waive (give up) a hearing, you should sign the ACKNOWLEDGMENT AND WAIVER portion of the form. If you request a hearing, you will be notified by this office of the time and place thereof in due course.

Matthew R. MacAvoy  
U.S. Probation Officer

S. Colon 10/23/19  
Sulimar Colon Date  
U.S. Probation Officer

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ACKNOWLEDGMENT AND REQUEST FOR HEARING

I, Amalia Rodriguez, hereby acknowledge receipt of the Notice of Request for Modification of the Conditions of Supervision, and request a hearing thereon with my reasons stated below:

Signed: \_\_\_\_\_  
(Date)

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ACKNOWLEDGMENT AND WAIVER OF HEARING

I, Amalia Rodriguez hereby acknowledge receipt of the Notice of Request for Modification of the Conditions of Supervision. I have read the Notice and understand that I have the right to a hearing before the Court on that request and to the assistance of counsel at the hearing. However, I hereby waive (give up) my right to a hearing and agree to the proposed modifications of conditions of supervision. I also certify that no promises have been made to me in order to induce me to give up my right to a hearing.

Signed: Amalia Rodriguez  
(Date) 10-23-19

WITNESS:

S. Colon  
Name

600 Arch St.  
Address